



U.S. Department of Justice

United States Attorney

Western District of Tennessee

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September 21, 2023

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Re: *United States vs. Emmitt Martin et al.*
Cr. No. 2:23-cr-20191-MSN

Dear Mr. Massey, Mr. Perry, Mr. Stengel, Mr. Ballin, and Mr. Zummach:

This letter is in response to the requests we have received from Mr. Perry, Mr. Stengel, Mr. Ballin, and Mr. Zummach for discovery in this case.

1. As to Rule 16(a)(1)(A) and (B), statements by your clients, including reports and statements provided to investigators in relation to this matter, are included with discovery.
2. As to Rule 16(a)(1)(D), your clients' criminal histories are included with discovery.

3. As to Rule 16(a)(1)(E), documents, including police reports, interview reports, medical records, and investigative reports; videos; audio recordings; and photographs are included with discovery. Due to its size, additional video evidence has been placed on an encrypted drive and will be sent to you via FedEx on today's date. The password to access the drives is: NicholsProd01920#

4. As to your request concerning possible Rule 404(b) evidence, the United States may introduce any 404(b) evidence against one or more of your clients. We will advise you of our intent and provide the appropriate information to you.

5. As to Rule 16(a)(1)(G), the United States does not at this time intend to introduce any expert testimony as defined by the Federal Rules. We will advise you should that change and provide the appropriate information to you.

6. The government is cognizant of its continuing obligation pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny and will disclose such materials in a timely manner, should they exist. Additionally, the government is aware of its continuing obligation to make impeachment evidence available in a timely manner, should it exist.

7. Discovery, including police reports, FBI reports, TBI reports, medical records, photographs, and audio/video recordings are available on the USA file exchange. You should have access today. This evidence is BATES stamped US_00000836 - US_00010951. Additionally, and as noted above, additional videos and video-related evidence BATES stamped US_00000001 - US_00000835 have been placed on a drive that will be sent to you on today's date via FedEx. Additional evidence—namely, the contents of the cellular phones of defendants Bean and Haley—are available for inspection at the United States Attorney's Office. Please contact me to schedule a time to review this discovery if you would like to do so.

8. The government hereby requests any and all reciprocal discovery and notice to which it is entitled pursuant to Rule 16(b), the local rules, and applicable case law. Please consider this request for reciprocal discovery a continuing request under Rule 16.

9. This is our first production. We anticipate making additional productions as needed. Please feel free to contact me at (901) 544-4231 if you have any questions.

Very truly yours,

KEVIN G. RITZ
United States Attorney

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cc: Clerk of the Court (W.D. Tenn.)

CERTIFICATE OF SERVICE

I, David Pritchard, hereby certify that the on the date below, I electronically filed the foregoing with the Clerk of Court for the Western District of Tennessee via the Electronic File System which sent notification of said filing to: counsel for defendants.

s/ David Pritchard

DAVID PRITCHARD

September 21, 2023